

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK-----
UNITED STATES SECURITIES &
EXCHANGE COMMISSION,USDC SDNY
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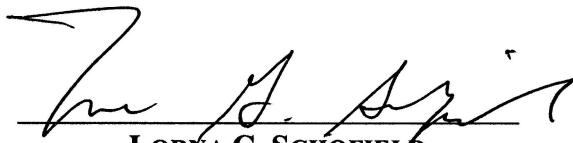
Plaintiff, : 19 Civ. 4355 (LGS)

: _____
-against- : ORDER
: _____COLLECTOR'S COFFEE, INC., et al.,
Defendants. : _____
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LORNA G. SCHOFIELD, District Judge:

WHEREAS, Plaintiff has filed an emergency motion to compel third-party Veronica Kontilai to appear at a deposition scheduled for June 19, 2019. It is hereby **ORDERED** that if Kontilai opposes the motion, then by **June 18, 2019, at 12:00 p.m.**, she shall file a letter brief, not to exceed three pages, explaining why the adverse spousal testimonial privilege applies in this civil case. *See United States v. Premises Known as 281 Syosset Woodbury Rd., Woodbury, N.Y.*, 71 F.3d 1067, 1071 (2d Cir. 1995) (“[T]he possibility of some future prosecution against Mr. Camiola is far too speculative to justify application of the privilege.”); *accord In re Shur*, 225 B.R. 295, 300 (Bankr. E.D.N.Y. 1998). It is further **ORDERED** that by **June 18, 2019, at 12:00 p.m.**, Plaintiff shall file Kontilai’s deposition subpoena on ECF.

Dated: June 17, 2019
New York, New York



LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE